

In The United States District Court  
Northern District of Illinois

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JUL 11 2016 *RB*

THOMAS G. BRUTON  
CLERK, U.S. DISTRICT COURT

Ronald Brainer

Vs.

Tom Dart, and  
etc.

case No. 1:16-cv-6013

FILED

9/8/2016

THOMAS G. BRUTON  
CLERK, U.S. DISTRICT COURT

### I. Introduction

1. This is a civil Rights action filed by Pro-se, Petitioner, Ronald Brainer, for damages under 42, U.S.C. Section 1983 alleging failure to protect from known Harm and Death threats while a pretrial Detainee in violation of the Fourteenth Amendment of the U.S. Constitution.

### II. Jurisdiction

2. This Court has Jurisdiction over the plaintiff's claim of violation of the Federal Constitutional right under 82 U.S.C. Section 1331 (i) and 1343

### III. Parties

3. Plaintiff, Petitioner, Ronald Brainer, was at all times mentioned herein a pretrial detainee awaiting trial in Cook County Jail

4. Defendant Tom Dart, is, or was the Sheriff in charge of the Cook County Jail and operations of the Jail, Dart is sued in his individual Capacity



5. Defendant Booker was in charge of inmate grievances as a counselor for inmates affairs, Booker is sued in his/her individual capacity

6. Defendant Hampton was a supervisor in Cook County Jail in charge of responding to inmate grievances, Hampton is sued in his/her individual capacity

7. Defendants Jane Doe's I-S was in charge of Plaintiff's housing unit on June 24<sup>th</sup>, 2014. Plaintiff needs discovery to properly identify the Defendants

8. Defendants John Doe's I-S was in charge of Plaintiff's housing unit on June 24<sup>th</sup>, 2014. Plaintiff needs discovery to properly identify the defendants

#### IV. Facts

9. On June 24<sup>th</sup>, 2014, Plaintiff was a detainee in the care of Defendant Dart, in the Cook County Jail, Division 2, Dorm 1, House F awaiting a criminal trial completely unrelated to this below described violation.

10. John Doe's I-S and Jane Doe's I-S were told countless times prior to June 24<sup>th</sup> that Plaintiff, and another Cook County detainee, were having problems

11. Plaintiff wrote Tom Dart stating that he was having with another inmate and his life was being threaten by Inmate Bradley So and his fellow gang members, stating that his life was in danger



12. Defendants Jane Doe's and Defendants John Doe's were verbally told by Plaintiff that Inmates had threaten Plaintiff's life, and that Plaintiff feared for his safety

13. On June 24<sup>th</sup>, 2014, Plaintiff was in a Verbal/Physical altercation with Inmate and John/Jane Doe's had broken apart altercation and were told by Plaintiff that his life was threatened and the Doe's purposely disregarded

14. Inmate involved in Plaintiff's altercation was allowed unsupervised back around Plaintiff and Defendants purposely disregarded Plaintiff's Pleas for protection

15. Later that night between 10:30pm and 11:00pm Plaintiff was resting in his assigned bunk with Blankets shielding his eyes from the lights

16. Plaintiff heard a Commotion around him and removed the blankets from his face only to be stabbed in his temple and ~~to~~ ear on Plaintiff's right side by Detainee/~~Attorney~~ Bradley S.

17. Inmate Bradley tried again to attack Plaintiff but another detainee, intervened and foiled the attempted murder

18. Plaintiff then ran to attract the attention of Corrections officers, defendants Jane Doe's who initially ignored Plaintiff's cries, not until the defendants seen blood on the window did they attend to Plaintiff's needs



19. The Plaintiff was bleeding profusely from stab wound and once the Doe defendants were alerted they restrained, handcuffed, and repeatedly interrogated plaintiff, instead of rendering medical care or summoning medical staff

20. It would be over four hours of begging and pleading for medical attention by the Plaintiff before the Plaintiff was the recipient of any medical treatment

21. Defendant Tom Dart and the Doe defendants purposely disregarded, after being told countless times, of the serious threats and possible harm to Plaintiff

22. Even after these facts the Plaintiff was once again upon returning to Cook County Jail's population, placed in same room as his attacker, Plaintiff told the Doe defendants about his being around his attacker and was given the response "stop being a bitch"

23. In the next following days and weeks plaintiff talked to Jail Corrections staff and filed multiple Grievances on defendant mis-conduct

24. Defendants Booker, Hampton, and Hurb failed to take action, or report the defendants misconduct, when responding to plaintiff's grievances and disregarded his written redress

25. The Plaintiff suffered irreparable harm to his right ear because of stabbing causing hearing loss in his right ear requiring a hearing aid device. Plaintiff also suffered psychological and mental



anguish due to these events

#### IV. Legal Claims

26. The action of defendant Tom Dart and Doe defendants in purposely disregarding the known threats and foreseeable attempt on plaintiff's life while pretrial detainee violated the Plaintiff's Fourteenth Amendment rights

27. The actions of defendants Hampton, Booker, and Hurb in disregarding Plaintiff's written redress of grievances violated plaintiff's First Amendment rights

#### V. Exhaustion and Prior suits

28. Plaintiff exhausted all administrative remedies to him in his power

29. Plaintiff has never filed nor been party to any lawsuits

#### VI. Claim for Relief

Wherefore Plaintiff respectfully prays  
this Court inter Judgment:

30. Granting Plaintiff a declaration that the acts and omissions described herein violated Plaintiff's rights under U.S. Constitution and

31. Granting Plaintiff Compensatory and punitive damages in the amount of \$100,000 against each defendant jointly and severally



33. Plaintiff also seeks Jury trial on all issues triable by Jury

34. Plaintiff also seeks recovery of the Cost in suit and

35. Any additional relief this Court deems Just, proper and equitable

/s/ Ronald Brainerd #1147411  
P.O. Box 999  
Pinckneyville, ILL  
62274

/s/ Ronald Brainerd  
Dated 7.5.16

I have read the following and hereby verify matters alleged herein are True except as to matters alleged on information and belief and I believe them to be true, I certify under Penalty of Perjury the foregoing is true and correct

/s/ Ronald Brainerd  
Dated 7.5.16

Please take Notice that on July, 5<sup>th</sup>, 2016 I placed the attached and enclosed documents in the institutional mail box at Pinckneyville Correctional Center properly addressed to the Clerk of U.S. District Court 219 South Dearborn Street Chicago, Illinois 60604 with postage expected to be paid by I.D.O.C. for mailing through U.S. Postal Service

/s/ Ronald Brainerd  
Dated 7.5.16